

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of  
Inventor(s): David White

For: COMPOSITIONS, KITS AND METHODS FOR PROGNOSTICATION, DIAGNOSIS,  
PREVENTION, AND TREATMENT OF BONE-RELATED DISORDERS AND OTHER DISORDERS

**1. Type of Application**

This new application is for a(n)

- ☐ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional.
- ☒ Continuation.
- ☐ Continuation-in-part (C-I-P).

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

- ☒ deposited with the United States Postal Service in an envelope addressed to the Mail Stop Patent Application,  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.  
**37 C.F.R. SECTION 1.8(a)**

**37 C.F.R. SECTION 1.10\***

- ☐ with sufficient postage as first class mail. ☒ as "Express Mail Post Office to Addressee"  
Mailing Label No. E1.992152675US

**TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

  
**Signature**

Sean Hunziker

(type or print name of person certifying)

Date: September 18, 2003

**\*WARNING:** Each paper or fee filed by "Express Mail" **must** have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b).  
"Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will **not** be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

**Practitioner's Docket No. : MPI99-130P1RCN1M**

**2. Benefit of Prior U.S. Application(s) (35 U.S.C. Sections 119(e), 120, or 121)**

- ☒ The new application being transmitted claims the benefit of prior U.S. Application Serial No. 09/628,495 filed July 28, 2000, which claims the benefit of prior U.S. Provisional Application Serial No. 60/146,614 filed July 30, 1999.

**3. Maintenance of Copendency of Prior Application**

- A. ☒ Extension of time in prior application filed concurrently by facsimile a copy of which is enclosed.
- B. ☐ Conditional Petition for Extension of Time in Prior Application  
(complete this item, if previous item not applicable)
- ☐ A conditional petition for extension of time is being filed in the pending **prior** application.
- ☐ A **copy** of the conditional petition filed in the prior application is attached.

**4. Abandonment of Prior Application (if applicable)**

- ☐ Please abandon the prior application at a time while the prior application is pending, or when the petition for extension of time or to revive in that application is granted, and when this application is granted a filing date, so as to make this application copending with said prior application.

**Notification in Parent Application of This Filing**

- ☐ A notification of this continuation is being filed in the parent application from which this application claims priority under 35 U.S.C. Section 120.

**5. Papers Enclosed**

**Required for Filing Date under 37 C.F.R. Section 1.53(b) (Regular) or 37 C.F.R. Section 1.153 (Design) Application**

88 Pages of Specification, including  
72 Pages of Description  
15 Pages of Claims  
1 Page of Abstract  
19 Sheet of Drawings (Figure(s) 1A-5I)

- ☐ The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. Section 1.84(b).
- ☒ Formal
- ☐ Informal

Practitioner's Docket No. : **MPI99-130P1RCN1M**

**6. Additional Papers Enclosed**

- ☒ Information Disclosure Statement (37 C.F.R. Section 1.98)(2 pages)
- ☒ Form PTO-1449 (PTO/SB/08A and 08B)(3 pages)
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☒ 11 pages of paper copy of Sequence Listing (37 CFR Section 1.821-1.823) and 4 pages of Submission of "Sequence Listing," Computer Readable Copy, and/or Amendment Pertaining Thereto for Biotechnology Invention Containing Nucleotide and/or Amino Acid Sequence (37 CFR Section 1.821(f))
- ☐ Authorization of Attorney(s) to Accept and Follow Instructions from Representative
- ☐ Special Comments
- ☒ Other: Copy of Petition for Extension of Time filed in prior U.S. Application Serial No. 09/628,495, filed July 28, 2001. (4 pages)

**7. Declaration or Oath (including power of attorney)**

- ☒ (3 pages) Copy of the executed Declaration and Power of Attorney document filed in prior U.S. Application Serial No. 09/628,495, filed July 28, 2001.
- ☐ Not Enclosed.

**8. Assignment**

- ☒ (4 pages) Copy of the Assignment of the invention to Millennium Pharmaceuticals, Inc., filed in prior U.S. Application Serial No. 09/628,495, filed July 28, 2001, a copy of which
  - ☒ is enclosed.
  - ☐ will follow.

Practitioner's Docket No. : **MPI99-130P1RCN1M**

**9. Fee Calculation (37 C.F.R. Section 1.16)**

A. ☒ Regular application

CLAIMS AS FILED					
Claims	Number Filed	Basic Fee Allowance	Number Extra	Rate	Basic Fee 37 C.F.R. Section 1.16(a) \$750.00
Total Claims (37 C.F.R. Section 1.16(c))	41	- 20 =	21	\$18.00	\$378.00
Independent Claims (37 C.F.R. Section 1.16(b))	7	- 3 =	4	\$84.00	\$336.00
Multiple Dependent Claim(s), if any (37 C.F.R. Section 1.16(d))	0	\$280.00			\$0.00

**Filing Fee Calculation                      \$1,464.00**

- ☐ Amendment canceling extra claims is enclosed.  
☐ Amendment deleting multiple-dependencies is enclosed.  
☐ Fee for extra claims is not being paid at this time.

**Practitioner's Docket No. : MPI99-130P1RCN1M**

**10. Method of Payment of Fees**

- ☐ Check in the amount of \$\_\_\_\_\_.
- ☒ Charge Account No. 501668 in the amount of \$1,464.00  
A duplicate of this transmittal is attached.

**11. Authorization to Charge Additional Fees**

- ☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 501668.
- ☒ 37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)
- ☒ 37 C.F.R. Section 1.16(b), (c) and (d) (presentation of extra claims)
- ☐ 37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
- ☒ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).
- ☒ 37 C.F.R. Section 1.17 (application processing fees)
- ☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

**12. Instructions as to Overpayment**

- ☒ Credit Account No. 501668.
- ☐ Refund

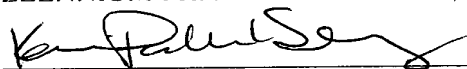
**13. Correspondence Address**

Direct all future correspondence to:

Customer Number 30405  
OR  
Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
75 Sidney Street  
Cambridge, MA 02139

September 18, 2003

MILLENNIUM PHARMACEUTICALS, INC.

By 

Kerri Pollard Schray  
Registration No. 47,066  
75 Sidney Street  
Cambridge, MA 02139  
Telephone – (617) 551-3676  
Facsimile – (617) 551-8820

**☒ Statement Where No Further Pages Added**

- ☒ This transmittal ends with this page.

Practitioner's Docket No. **MPI99-130P1RM**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: White, David  
Application No.: 09/628,495                      Group No.: 1647  
Filed: July 28, 2000                      Examiner: Nichols, Christopher J.  
For: COMPOSITIONS, KITS AND METHODS FOR PROGNOSTICATION,  
DIAGNOSIS, PREVENTION AND TREATMENT OF BONE-RELATED  
DISORDERS AND OTHER DISORDERS

**Mail Stop**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL**

1. Transmitted herewith for this application is/are:  
This Transmittal which includes a request for a 3 month extension of time in the referenced application (2 pages - in duplicate).

**STATUS**

2. Applicant is other than a small entity.

**PETITION FOR EXTENSION OF TIME**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(3)) for a three month extension:

Fee: \$ 930.00

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**CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\***

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**37 C.F.R. SECTION 1.8(a)**                      **37 C.F.R. SECTION 1.10\***

- ☐ with sufficient postage as first class mail.                      ☐ as "Express Mail Post Office to Addressee"  
Mailing Label No. \_\_\_\_\_

**TRANSMISSION**

- ☒ transmitted by facsimile to the Patent and Trademark Office. (1-703-872-9306)

Signature

Date: September 18, 2003

Diana Gentile

(type or print name of person certifying)

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**Practitioner's Docket No. MPI99-130P1RM**

Extension fee due with this request      \$930.00

If an additional extension of time is required, please consider this a petition therefor.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

(Col. 1)			(Col. 2)			(Col. 3)	OTHER THAN A SMALL ENTITY	
Claims Remaining After Amendment			Highest No. Previously Paid For			Present Extra	Rate	Addit. Fee
Total	0	Minus	0	=	0	\$18.00	=	\$0.00
Indep.	0	Minus	0	=	0	\$84.00	=	\$0.00
First Presentation of Multiple Dependent Claims			0			\$280.00	=	\$0.00
							Total Addit. Fee	\$0.00

Total additional fee for claims required      \$0.00

**FEE PAYMENT**

5. Charge Account No. 501668 the sum of \$930.00 (which includes the \$930.00 extension fee and the \$0.00 additional fee for claims). A duplicate of this transmittal is attached.

**FEE DEFICIENCY**

6. If any additional extension and/or fee is required, charge Account No. 501668.  
If any additional fee for claims is required, charge Account No. 501668.

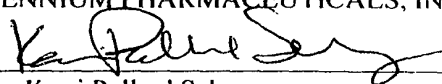
7. Correspondence Address  
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OR  
Intellectual Property Department  
MILLENNIUM PHARMACEUTICALS, INC.  
75 Sidney Street  
Cambridge, MA 02139

September 18, 2003

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By



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